

## REMARKS

In response to the Restriction Requirement mailed October 3, 2003, applicants elect Group II, Claims 5-14, 30, 33, 36, 48-57, 69, and 72, drawn to the isolated nucleic acid molecule, vector, cell comprising vector, pharmaceutical composition, kit, and use of a therapeutic in the manufacture of a medicament, classified in class 536, subclass 23.5, class 435, subclasses 320.1, 325, 243, 419, and class 514, subclass 44. Further, applicants elect the sequence, SEQ ID NO: 3, encoding the polypeptide of SEQ ID NO: 4.


Claims 1-4, 6-8, 11, and 30-79 have been canceled without prejudice or disclaimer as drawn to non-elected subject matter. Applicant reserves the right to pursue these claims in a later application. Elected claims 5, 9, 10, and 12 are amended herein. Claim 80 has been added. Support for new and pending claims can be found in originally filed claims 1-79 and throughout the specification (for example, page 10, line 1 through page 11 line 14). No new matter has been added. Upon entry of this amendment, claims 5, 9, 10, 12-14 and 80 will be pending.

## CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this paper is fully responsive and that the pending claims are in condition for allowance. Such action is respectfully requested. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

Dated: February 3, 2004

*for*  *Reg No 48223*  
Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicant  
c/o MINTZ, LEVIN  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623